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Plaintiff  
Sequenom, Inc.

*Additional counsel listed on signature page.*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ARIOSA DIAGNOSTICS, INC.,

Plaintiff,

vs.

SEQUENOM, INC.,

Defendant.

SEQUENOM, INC.,

Counterclaim Plaintiff,

vs.

ARIOSA DIAGNOSTICS, INC.,

Counterclaim Defendant,

and

ISIS INNOVATION LIMITED,

Nominal Counterclaim  
Defendant.

Case No. 3:11-cv-06391-SI

**STIPULATION AND ~~[PROPOSED]~~  
ORDER TO CHANGE ADR SCHEDULE**

1 IT IS HEREBY STIPULATED by and between Plaintiff and Counterclaim Defendant  
 2 Ariosa Diagnostics, Inc. ("Ariosa"), Defendant and Counterclaim Plaintiff Sequenom, Inc.  
 3 ("Sequenom"), and Nominal Counterclaim Defendant Isis Innovation Limited ("Isis"), by and  
 4 through their counsel of record as follows:

5 WHEREAS the current deadline for the parties to participate in a private ADR session is  
 6 August 31, 2012;

7 WHEREAS the parties requested the current deadline be set on August 31, 2012 in part  
 8 due to the need to allow sufficient preparation time following the resolution of Sequenom's  
 9 motion for preliminary injunction;

10 WHEREAS the Court's disposition of Sequenom's motion for preliminary injunction has  
 11 been appealed by Sequenom;

12 WHEREAS Ariosa and Sequenom, in their filings on appeal to the United States Court of  
 13 Appeals for the Federal Circuit, have indicated that they are far apart in their settlement positions;

14 NOW, THEREFORE, the parties, by and through the undersigned counsel, hereby  
 15 stipulate to the following modification to the ADR schedule:

- 16 • The parties request that the August 31, 2012 deadline for the ADR session be  
 17 continued and that a revised deadline for the ADR session be set at the case  
 18 management conference to be held following the claim construction hearing for  
 19 purposes of setting post-claim construction dates, which revised deadline would  
 20 give the parties sufficient time to prepare for and participate in mediation after  
 21 claim construction by this Court and a decision from the United States Court of  
 22 Appeals for the Federal Circuit in the pending appeal.

23 SO STIPULATED.

24 Dated: August 27, 2012

IRELL & MANELLA LLP

25 By: /s/ Jason W. Sullivan  
 26 Jason W. Sullivan  
 27 Attorneys for Plaintiff and  
 28 Counterclaim Defendant  
 Ariosa Diagnostics, Inc.

1 Dated: August 27, 2012

KAYE SCHOLER LLP

2 By: /s/ Sean M. Boyle  
Sean M. Boyle  
3 Attorneys for Defendant and  
4 Counterclaim Plaintiff  
Sequenom, Inc.

5 Dated: August 27, 2012

SATTERLEE STEPHENS BURKE &  
BURKE LLP

6 By: /s/ Mario Aieta  
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14 Attorneys for Nominal Counterclaim  
15 Defendant  
Isis Innovation Limited

**GENERAL ORDER ATTESTATION**


16 I, Jason W. Sullivan, am the ECF user whose ID and password are being used to file the  
17 parties' **STIPULATION AND [PROPOSED] ORDER TO CHANGE ADR SCHEDULE**. In  
18 compliance with General Order 45, X.B., I hereby attest that Sean M. Boyle, counsel for  
19 Sequenom, and Mario Aieta, counsel for Isis, have concurred in this filing.

20 /s/ Jason W. Sullivan

21 **ORDER**

22 Pursuant to stipulation, **IT IS SO ORDERED**.

23 Dated: August 28, 2012

24   
25 The Honorable Susan Illston  
26 United States District Judge  
27  
28